

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RACHAEL LIU, *Individually and On Behalf
of All Others Similarly Situated*,

Plaintiff,

-against-

ICONOCLAST FITNESS, INC. and NGO
OKAFOR,

Defendants.

NGO OKAFOR,

Plaintiff,

-against-

RACHEL LIU,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/1/2024

23-cv-525 (MKV)

23-cv-10512 (MKV)

ORDER

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of the parties' letter stating that (1) "Defendant Ngo Okafur will voluntarily dismiss" *Okafur v. Liu*, 23-cv-10512; and (2) "Defendants do not intend to renew" their pre-answer motion to dismiss [ECF No. 33]. Accordingly, IT IS HEREBY ORDERED that *Okafur v. Liu*, 23-cv-10512, is dismissed. Defendants in *Liu v. Iconoclast Fitness, Inc. et al.*, 23-cv-525, shall file an answer by April 15, 2024.

IT IS FURTHER ORDERED that, as soon as Defendants file their answer, the parties shall commence discovery, if not already commenced, including the exchange of initial disclosures, as set forth in Federal Rule of Civil Procedure 26.

IT IS FURTHER ORDERED that, by April 29, 2024, the parties shall meet and confer to discuss the possibility of settlement for at least one hour.

IT IS FURTHER ORDERED that on or before May 6, 2024, the parties shall file on ECF a Joint Letter and Proposed Case Management Plan, as described in the Court's Individual Rules of Practice in Civil Cases. The joint letter may not exceed 6 pages and must include the following:

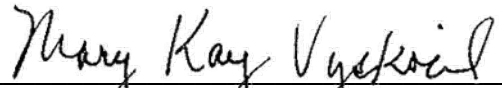
1. A brief statement of the nature of the case, the principal claims and defenses, and the major legal and factual issues that are most important to resolving the case;
2. A brief statement by the plaintiff, or by the defendants in removed cases, as to the basis of subject matter jurisdiction and venue, and a brief statement by each other party as to the presence or absence of subject matter jurisdiction and venue. Statements shall include citations to relevant statutes. In cases invoking the Court's diversity jurisdiction, the parties should state both the place of incorporation and the principal place of business of any party that is a corporation, and the citizenship of all members, shareholders, partners, and/or trustees of any party that is a partnership, limited partnership, limited liability company, or trust;
3. A statement of procedural posture, including
 - a. A brief description of any (i) motions that have been made and decided, (ii) motions that any party seeks or intends to file, including the principal legal and other grounds in support of and opposition to the motion, (iii) pending motions and (iv) other applications that are expected to be made at the conference;
 - b. A brief description of any discovery that has already taken place, and a brief description of any discovery that the parties intend to take in the future; and
 - c. A statement describing the status of any settlement discussions and whether the parties would like a settlement conference; and

4. Any other information the parties believe may assist the Court in resolving the action.

Any request for an adjournment must be filed on ECF at least 72 hours before the deadline.

SO ORDERED.

Date: April 1, 2024
New York, NY


MARY KAY VYSKOCIL
United States District Judge